

Amended Restrictive Covenants
Recorded in WT Book 378 page 204.
This the 24th day of August, 2000.
W. E. Davis Chancery Clerk
By: C. Stachley, DC

SUNSET FARMS

SECTION 'A'

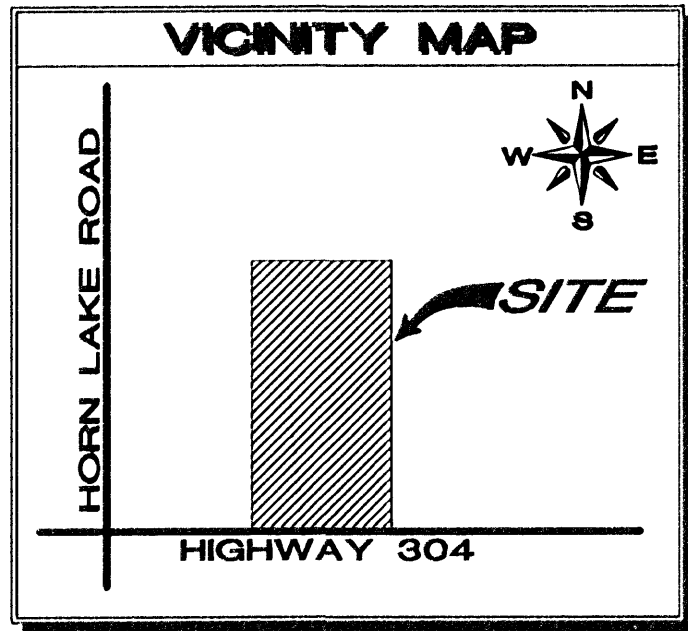
RESTRICTIVE COVENANTS OF SUNSET FARMS SUBDIVISION

THE FOLLOWING RESTRICTIVE COVENANTS SHALL APPLY TO ALL THE LAND IN SUNSET FARMS SUBDIVISION AS SHOWN ON THE PLAT LOCATED IN SECTIONS 9 & 10, TOWNSHIP 3 SOUTH, RANGE 8 WEST, DESOTO COUNTY, MISSISSIPPI.

1. NO LOT SHALL BE USED FOR ANY PURPOSE OTHER THAN SINGLE FAMILY RESIDENTIAL PURPOSE. NO BUILDING SHALL BE ERRECTED, ALTERED OR PERMITTED TO REMAIN ON ANY LOT OTHER THAN ONE BUILDING, A PRIVATE GARAGE FOR NOT MORE THAN THREE VEHICLES AND SEPARATE DETACHED BUILDINGS INCIDENTAL TO RESIDENTIAL USE. TWO OR MORE LOTS MAY BE COMBINED FOR USE AS ONE LOT AND IN SUCH CASE THE INTERIOR LOT LINES MAY BE DISREGARDED AND THE UTILITY EASEMENTS (UNLESS I USE) WILL BE AUTOMATICALLY REVOKED. IN THE EVENT SUCH LOTS ARE COMBINED UNDER ONE OWNERSHIP FOR USE AS A SINGLE LOT, NO PART OF THE COMBINED LOT MAY BE SOLD OR CONVEYED, EXCEPT TO THE ORIGINAL SIZE OF THE LOTS BEFORE BEING COMBINED. NO SINGLE LOT MAY BE SUBDIVIDED INTO TWO OR MORE LOTS FOR THE PURPOSE OF BUILDING ANOTHER DWELLING.
2. ALL DWELLINGS OR OTHER STRUCTURES ON THE LOTS MUST BE IN COMPLIANCE WITH THE REQUIREMENTS OF THE MUNICIPAL AND COUNTY PLANNING COMMISSION.
3. NO STRUCTURE OF A TEMPORARY NATURE SUCH AS TRAILER, BASEMENT, TENT, SHED, GARAGE, BARN, MOTOR HOME OR OTHER OUTBUILDING SHALL AT ANY TIME BE USED, EITHER TEMPORARY OR PERMANENTLY, AS A RESIDENCE.
4. NO NOXIOUS OR OFFENSIVE TRADE OR ACTIVITY MAY BE CARRIED ON UPON ANY LOT NOR SHALL ANYTHING BE DONE THEREON WHICH MAY BE, OR BECOME, A NUISANCE OR ANNOYANCE TO THE NEIGHBORHOOD. NO BUSINESS OR TRADE OF A COMMERCIAL NATURE MAY BE CARRIED ON UPON ANY LOT. ALL LOTS AND HOUSES ARE TO BE FOR A RESIDENTIAL USE ONLY.
5. EASEMENTS FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES AND DRAINAGE FACILITIES ARE RESERVED AS SHOWN BY THE PLAT.
6. NO SHELL-TYPE OR MODULAR-TYPE HOME WILL BE PERMITTED OR ERRECTED IN THIS SUBDIVISION. ALL HOUSES MUST BE OF NEW CONSTRUCTION. NO HOUSE MAY BE MOVED INTO THE SUBDIVISION EXCEPT BY WRITTEN PERMISSION OF THE DEVELOPER.
7. NO BUILDING SHALL BE PERMITTED ON ANY LOT WHERE THE HEATED AREA OF THE MAIN STRUCTURE, EXCLUSIVE OF OPEN PORCHES AND GARAGES, IS LESS THAN ONE THOUSAND FOUR HUNDRED FIFTY (1450) SQUARE FEET FOR A ONE STORY DWELLING AND FOR ONE AND ONE-HALF AND TWO STORY DWELLINGS NOT LESS THAN ONE THOUSAND SIX HUNDRED (1600) SQUARE FEET WITH A MINIMUM GROUND FLOOR HEATED AREA OF ONE THOUSAND TWO HUNDRED (1200) SQUARE FEET. TOTAL UNDER ROOF MUST BE A MINIMUM OF ONE THOUSAND EIGHT HUNDRED FIFTY (1850) SQUARE FEET.
8. NO SIGNS OF ANY KIND SHALL BE DISPLAYED TO THE PUBLIC VIEW ON ANY LOT EXCEPT ONE PROFESSIONAL SIGN OF NOT MORE THAN ONE SQUARE FOOT, ONE SIGN OF NOT MORE THAN FIVE SQUARE FEET ADVERTISING THE PROPERTY FOR SALE OR RENT, OR CUSTOMARY SIGNS USED BY A BUILDER TO ADVERTISE THE PROPERTY DURING THE CONSTRUCTION AND SALE.
9. NO ANIMALS, LIVESTOCK, OR POULTRY OF ANY KIND MAY BE RAISED, BRED OR KEPT ON ANY LOT EXCEPT THAT DOGS, CATS, PONIES, AND HORSES MAY BE KEPT IN A LIMITED NUMBER AND MANNER FOR PERSONAL USE AND ENJOYMENT. NO LIVESTOCK SHALL BE KEPT FOR ANY TYPE COMMERCIAL USE OR ACTIVITY WITH THE SUBDIVISION. APPROPRIATE BUILDINGS AND ENCLOSURES FOR SUCH ANIMALS OR PETS MUST BE PROVIDED. PONIES AND HORSES SHALL BE LIMITED TO A COMBINED TOTAL OF NOT MORE THAN TWO PER ACRE OF LAND. NO HOGS, CATTLE, CHICKENS, OR GOATS ARE TO BE KEPT ON ANY LOT.
10. TRASH, GARBAGE, RUBBISH, AND OTHER WASTE SHALL BE KEPT IN SANITARY CONTAINER SPECIFICALLY DESIGNED FOR THE PURPOSE. ALL EQUIPMENT FOR THE STORAGE OR DISPOSAL OF SUCH MATERIALS SHALL BE APPROVED BY THE APPROPRIATE GOVERNMENTAL ENTITY AND SHALL BE KEPT IN A CLEAN, SANITARY, AND ORDERLY CONDITION.
11. NO BUILDING SHALL BE ERRECTED, PLACED, OR ALTERED ON ANY LOT IN THIS SUBDIVISION UNTIL THE BUILDING PLANS, SPECIFICATIONS, AND PLOT PLAN, SHOWING THE LOCATION OF SUCH BUILDING, SHALL HAVE BEEN APPROVED IN WRITING BY THE DEVELOPER AS TO THE CONFORMITY AND HARMONY WITH EXISTING STRUCTURES IN THE SUBDIVISION. IN THE EVENT THAT THE DEVELOPER FAILS TO APPROVE OR DISAPPROVE SUCH DESIGN AND LOCATION WITHIN A THIRTY (30) DAY PERIOD AFTER SAID PLANS AND SPECIFICATIONS HAVE BEEN SUBMITTED, OR IF NO LITIGATION TO ENJOIN THE ERECTION OF SUCH BUILDING PRIOR TO THE COMPLETION THEREOF, SUCH APPROVAL WILL NOT BE REQUIRED AND THIS COVENANT SHALL BE DEEMED FULLY SATISFIED. APPROVAL OF THE SUBMITTED BUILDING PLANS AND SPECIFICATIONS SHALL NOT BE UNREASONABLY WITHHELD. THE DEVELOPER SHALL NOT BE ENTITLED TO ANY COMPENSATION FOR SERVICES PERFORMED PURSUANT TO THIS COVENANT. THE POWERS AND DUTIES OF THE DEVELOPER SHALL CEASE ON AND AFTER THIRTY YEARS FROM THE DATE OF THIS INSTRUMENT IS RECORDED IN THE OFFICE OF THE CHANCERY CLERK OF DESOTO COUNTY, MISSISSIPPI. THEREAFTER THE APPROVAL DESCRIBED IN THIS COVENANT SHALL NOT BE REQUIRED UNLESS, PRIOR TO THE SAID DATE, A WRITTEN INSTRUMENT SHALL BE EXECUTED BY THE THEN RECORD OWNERS OF THE THE MAJORITY OF THE LOTS IN THE SUBDIVISION AND DULY RECORDED APPOINTING A REPRESENTATIVE OR REPRESENTATIVES WHO SHALL THEREAFTER EXERCISE THE SAME POWERS PREVIOUSLY EXERCISED BY THE DEVELOPER.
12. NO VEHICLE OF ANY KIND SHALL BE KEPT IN THE SUBDIVISION UNLESS IT DISPLAYS A CURRENT LICENSE PLATE AND CURRENT INSPECTION STICKER, EXCEPT FOR TRACTORS USED FOR PROPERTY MAINTENANCE ONLY. NO JUNK AUTOMOBILES OR ANY MECHANICAL DEVICES THAT ARE VISUALLY IN NEED OF REPAIR SHALL BE KEPT ON ANY LOT AT ANY TIME FOR ANY PURPOSE. ANY JUNK AUTOMOBILE OR MECHANICAL DEVICE THAT IS KEPT WITHIN THE RIGHT OF WAY OF THE EXISTING STREET SHALL BE SUBJECT TO REMOVAL WITHOUT THE PERMISSION OF THE OWNER OF SAME. NO MOTOR HOMES SHALL BE KEPT ON ANY LOT OR ON THE ROAD RIGHT OF WAY FOR LONGER THAN ONE 24 HOUR PERIOD. NO ENGINE HOIST OR SIMILAR MECHANICAL TOOLS SHALL BE KEPT ON ANY SUBDIVISION LOT.
13. NO CYCLONE OR WIRE FENCE SHALL BE ERRECTED ON ANY PORTION OF THE FRONT YARD OF ANY LOT OR THE SIDE YARD OF ANY CORNER LOT FRONTING ON A STREET. ANY FENCES FACING A STREET SHALL NOT BE CYCLONE OR WIRE TYPE FENCE. DECORATIVE TYPE FENCES LESS THAN THREE FEET IN HEIGHT MAY BE LOCATED WITHIN A YARD ADJOINING A PUBLIC STREET BUT NO CLOSER THAN TEN (10) FEET TO THE STREET RIGHT OF WAY.
14. CONSTRUCTION OF ANY DWELLING SHALL BE COMPLETED WITHIN TWELVE (12) MONTHS FROM COMMENCEMENT OF CONSTRUCTION.
15. THESE COVENANTS, LIMITATIONS, AND RESTRICTIONS ARE TO RUN WITH THE LAND AND SHALL BE BINDING UPON ALL PARTIES AND ALL PERSONS CLAIMING UNDER THEM UNTIL THIRTY (30) YEARS AFTER THIS INSTRUMENT IS RECORDED IN CHANCERY CLERK'S OFFICE, AT WHICH TIME SAID COVENANTS, LIMITATIONS, AND RESTRICTIONS SHALL AUTOMATICALLY EXTEND FOR SUCCESSIVE TEN-YEAR PERIODS UNLESS BY A VOTE OF THE MAJORITY OF THE THEN OWNERS OF LOTS IN THIS SUBDIVISION, IT IS AGREED TO CHANGE SAID COVENANTS IN WHOLE OR IN PART WHICH VOTE SHALL BE REDUCED TO WRITING AND FILED IN THE CLERK'S OFFICE.
16. THESE COVENANTS, LIMITATIONS, AND RESTRICTIONS, OR ANY OF THEM, MAY BE AMENDED ONLY BY INSTRUMENT EXECUTED BY THE DEVELOPER OR BY THE OWNERS, AS THE CASE MAY BE, OF AT LEAST SEVENTY FIVE PERCENT (75%) OF THE LOTS IN THE SUBDIVISION, INCLUDING ANY ADDITIONS THERETO.
17. NO DRILLING, OIL DEVELOPMENT OPERATIONS, REFINING, GRAVEL MINING OR MINING OPERATIONS OR PROCEDURES SHALL BE PERMITTED UPON OR IN ANY LOT, NOR SHALL OIL WELLS, TANKS, TUNNELS, GRAVEL EXCAVATION OR SHAFTS BE PERMITTED UPON OR IN ANY LOT.

DATED THIS THE _____ DAY OF MARCH, 2000.

W. E. Davis
DEVELOPER AND OWNER OF ALL LOTS CONTAINED IN
SUNSET FARMS SUBDIVISION



NOTES:

1. MINIMUM SETBACKS ARE AS FOLLOWS:
 - A. 50' FRONT YARD
 - B. 15' SIDE YARD
 - C. 20' REAR YARD
2. A 10 FEET WIDE UTILITY EASEMENT IS REQUIRED ON ALL STREET FRONTAGE AND ALL REAR LOT LINES. A 5 FEET WIDE UTILITY EASEMENT IS REQUIRED ALONG EACH SIDE OF EACH LOT LINE.
3. WATER AND SEWER SERVICE WILL BE PRIVATE
4. THIS PROPERTY IS LOCATED IN HUD IDENTIFIED SPECIAL FLOOD HAZARD AREA ACCORDING TO FEMA MAP NO. 28033C0115 D, DATED MAY, 1990.
5. IRON PINS ARE SET ON ALL PROPERTY CORNERS. CHISEL MARKS ARE MADE ON THE CURB AT THE EXTENDED PROPERTY LINE AND ARE FOR REFERENCE ONLY.
6. DRIVEWAY CULVERTS ARE TO BE INSTALLED BY THE PROPERTY OWNER, THEY ARE NOT THE RESPONSIBILITY OF THE COUNTY.

OWNER'S CERTIFICATE

I, *W. E. Davis*, OWNER OR AUTHORIZED REPRESENTATIVE OF THE OWNER OF THE PROPERTY, HEREBY ADOPT THIS AS MY PLAN OF SUBDIVISION AND DEDICATE THE RIGHT-OF-WAY FOR THE ROADS AS SHOWN ON THE PLAT OF THE SUBDIVISION TO THE PUBLIC USE FOREVER AND RESERVE FOR THE PUBLIC UTILITIES THE UTILITY EASEMENTS AS SHOWN ON THE PLAT. I CERTIFY THAT I AM THE OWNER IN FEE SIMPLE OF THE PROPERTY AND THAT NO TAXES HAVE BECOME DUE AND PAYABLE. THIS THE _____ DAY OF _____, 19____.

W. E. Davis
OWNER OR AUTHORIZED REPRESENTATIVE

NOTARY'S CERTIFICATE

STATE OF MISSISSIPPI, COUNTY OF DESOTO

PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED AUTHORITY IN AND FOR THE SAID COUNTY AND STATE, ON THE _____ DAY OF _____, 19____, *W. E. Davis*, WITHIN MY JURISDICTION, THE WITHIN NAMED *W. E. Davis* ACKNOWLEDGED THAT HE EXECUTED THE ABOVE AND FOREGOING INSTRUMENT.

W. E. Davis
MY COMMISSION EXPIRES: _____ NOTARY PUBLIC

MORTGAGEE'S CERTIFICATE

Kanene South MORTGAGEE OF THE PROPERTY HEREON, HEREBY ADOPT THIS AS OUR PLAN OF SUBDIVISION AND DEDICATE THE RIGHT-OF-WAY FOR THE ROADS AS SHOWN ON THE PLAT OF THE SUBDIVISION TO THE PUBLIC USE FOREVER AND RESERVE FOR THE PUBLIC UTILITIES THE UTILITY EASEMENTS AS SHOWN ON THE PLAT. I CERTIFY THAT I AM THE MORTGAGEE IN FEE SIMPLE OF THE PROPERTY AND THAT NO TAXES HAVE BECOME DUE AND PAYABLE. THIS THE _____ DAY OF _____, 19____.

Kanene South
TITLE SIGNATURE OF MORTGAGEE
Kanene South

NOTARY'S CERTIFICATE

STATE OF MISSISSIPPI, COUNTY OF DESOTO

PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED AUTHORITY IN AND FOR THE SAID COUNTY AND STATE, ON THE _____ DAY OF _____, 19____, *W. E. Davis*, WITHIN MY JURISDICTION, THE WITHIN NAMED *W. E. Davis* WHO ACKNOWLEDGED THAT HE/SHE IS *W. E. Davis* AND THAT FOR AND ON BEHALF OF THE SAID BANK, *W. E. Davis* AND AS ITS ACTING HE/SHE EXECUTED THE ABOVE AND FOREGOING INSTRUMENT AFTER FIRST HAVING BEEN DULY AUTHORIZED BY SAID BANK SO TO DO.

W. E. Davis
NOTARY PUBLIC MY COMMISSION EXPIRES: _____ NOTARY PUBLIC

CERTIFICATE OF ENGINEER

THIS IS TO CERTIFY THAT I HAVE DRAWN THIS SUBDIVISION PLAT HEREON AND THE PLAT OF SAME IS ACCURATELY DRAWN FROM INFORMATION FROM A RECENT SURVEY BY ME.

Ben W. Smith
BEN W. SMITH - 346 NO. 11909
STATE OF MISSISSIPPI

DESOTO COUNTY PLANNING COMMISSION

APPROVED BY THE DESOTO COUNTY PLANNING COMMISSION ON THIS THE _____ DAY OF _____, 19____.

W. E. Davis
SECRETARY
W. E. Davis
CHAIRPERSON

DESOTO COUNTY BOARD OF SUPERVISORS

APPROVED BY THE BOARD OF SUPERVISORS OF DESOTO COUNTY, MISSISSIPPI, THIS THE _____ DAY OF _____, 19____.

W. E. Davis
CLERK FOR THE BOARD
W. E. Davis
PRESIDENT

STATE OF MISSISSIPPI COUNTY OF DESOTO

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON WAS FILED FOR RECORD IN MY OFFICE AT _____ O'CLOCK _____ A.M. ON THE _____ DAY OF _____, 19____, AND WAS IMMEDIATELY ENTERED UPON THE PROPER INDEXES AND DULY RECORDED IN PLAT BOOK _____, PAGE _____.

W. E. Davis
CHANCERY COURT
W. E. Davis

FINAL PLAT OF SECTION A, SUNSET FARMS

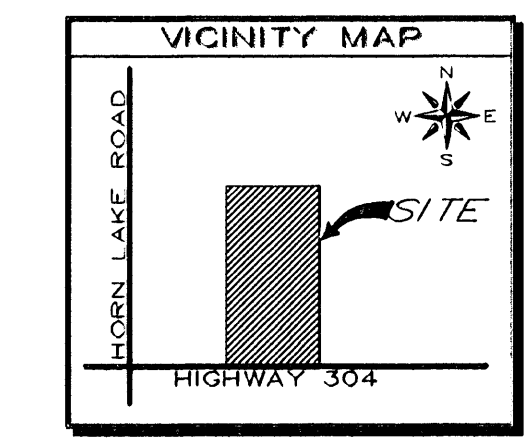
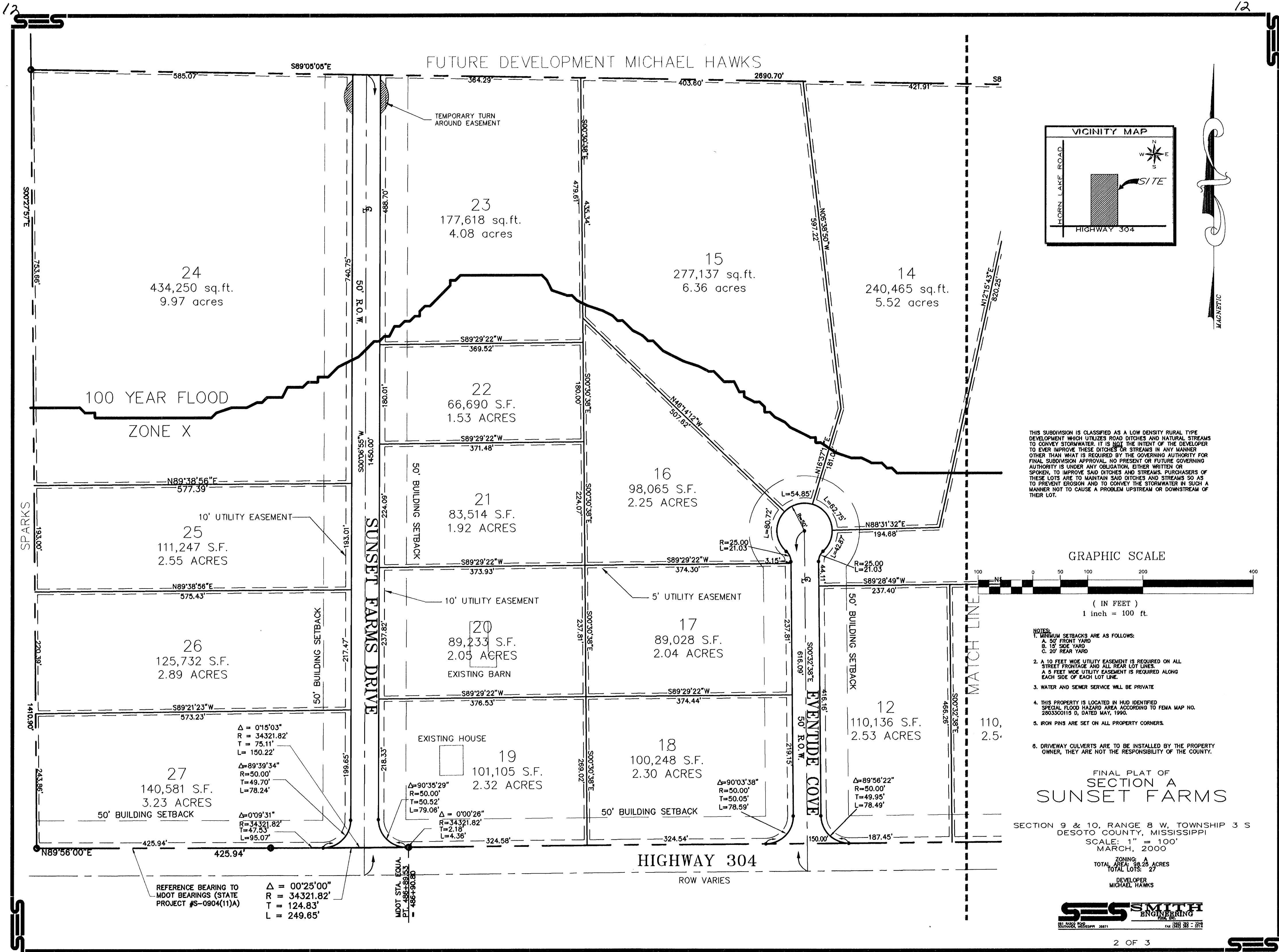
SECTION 9 & 10, RANGE 8 W, TOWNSHIP 3 S
DESOTO COUNTY, MISSISSIPPI

SCALE: 1" = 100'
MARCH, 2000

ZONING: A
TOTAL AREA: 101.59 ACRES
TOTAL LOTS: 27

DEVELOPER
MICHAEL HAWKS

SES SMITH
ENGINEERING & SURVEYING
INCORPORATED
501 HAWK ROAD, DESOTO, MISSISSIPPI 38871
FAX (601) 351-0314



THIS SUBDIVISION IS CLASSIFIED AS A LOW DENSITY RURAL TYPE DEVELOPMENT WHICH UTILIZES ROAD DITCHES AND NATURAL STREAMS TO CONVEY STORMWATER. IT IS NOT THE INTENT OF THE DEVELOPER TO EVER IMPROVE THESE DITCHES OR STREAMS IN ANY MANNER OTHER THAN WHAT IS REQUIRED BY THE GOVERNING AUTHORITY FOR FINAL SUBDIVISION APPROVAL. NO PRESENT OR FUTURE GOVERNING AUTHORITY IS UNDER ANY OBLIGATION, EITHER WRITTEN OR SPOKEN, TO IMPROVE SAID DITCHES AND STREAMS. PURCHASERS OF THESE LOTS ARE TO MAINTAIN SAID DITCHES AND STREAMS SO AS TO PREVENT EROSION AND TO CONVEY THE STORMWATER IN SUCH A MANNER NOT TO CAUSE A PROBLEM UPSTREAM OR DOWNSTREAM OF THEIR LOT.

GRAPHIC SCALE

(IN FEET)
1 inch = 100 ft.

- NOTES:
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C. 20' REAR YARD
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FINAL PLAT OF
SECTION A
SUNSET FARMS
SECTION 9 & 10, RANGE 8 W, TOWNSHIP 3 S
DESOTO COUNTY, MISSISSIPPI
SCALE: 1" = 100'
MARCH, 2000

ZONING: A
TOTAL AREA: 38.28 ACRES
TOTAL LOTS: 27
DEVELOPER:
MICHAEL HAWKS

SES SMITH
ENGINEERING
P.L.L.C.
2010 MISSISSIPPI AVE., SUITE 200
MEMPHIS, TN 38103
TEL: (901) 521-1111
FAX: (901) 521-1112

